

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 29 2012

Notice of Change in Water Right Ownership

DEPARTMENT OF
WATER RESOURCES

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
57-10277	Yes ☐	57-10278	Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Filler, Merle C.
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Edwards, Dirk
Name of each new owner as listed on the conveyance document

Edwards, Melody

New owner continued ☐ and ☒ or ☐ and/or

524 3rd Street South #173

Mailing address

Nampa

ID

83651

City

State

ZIP

208-409-3565

melodypt@gmail.com

Telephone

Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: 10/13/11

6. This form must be signed and submitted with the following **REQUIRED** items:

- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- Filing fee (see instructions for further explanation):
 - \$25 per *undivided* water right.
 - \$100 per *split* water right.
 - No fee is required for pending adjudication claims.

SUPPORT DATA

7. Signature: Dirk Edwards
Signature of new owner/claimant

IN FILE # 57-10277

Title, if applicable

3/26/12
Date

Signature: Melody Edwards
Signature of new owner/claimant

Title, if applicable

3/26/12
Date

For IDWR Office Use Only:

Received by SRF Date 3-29-2012 Receipt No. 0094956 Receipt Amt. \$50-

Approved by _____ Processed by _____ Date _____

4. You may have acquired only a portion of the water right(s) held by the seller. If you did not acquire the entire water right/property, please check the appropriate box. Water rights are often conveyed as an appurtenance to the land where they are used, and the conveyance document for the land often does not have specific language regarding the water right. Please read your deed or other conveyance document carefully to be sure. When the conveyance document does not specifically address water rights, it will be assumed that the water rights are to be split proportionate to the amount of land acquired.
5. Indicate the date the water rights and/or adjudication claims were conveyed to you. This may be the date of closing in the case of a real estate transaction, the date a contract was signed, or the date of a court order.

6. **ATTACHMENTS:**

IDWR cannot process this change without **documentation of ownership**. The documentation may be in the form of a deed, court decree or other conveyance document. If you are submitting a quitclaim deed and the grantor's name does not match the water right holder of record, you will need to provide a chain of title that goes back to the water right holder/claimant of record. You may obtain this information from the assessor's office in the county where the property is located. Items that are **not** conveyance documents are deeds of trust, mortgages, purchase and sales agreements, and property tax notices.

Submit a **plat map, survey map, or aerial photograph** of the place of use for each water right or claim listed in item #1 (if necessary to clarify division of water rights or complex property descriptions). If your right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent aerial photograph with the irrigated acres outlined and point(s) of diversion clearly marked. You also have the option of printing a map using the Create a Map tool on IDWR's website at: www.idwr.idaho.gov. It is not necessary to obtain a new survey for purposes of this form before contacting IDWR.

The Idaho Legislature has waived the fee to file a Notice of Change in Water Right Ownership for any water right pending in a general water right adjudication such as the Snake River Basin Adjudication or the Northern Idaho Adjudication. This waiver ends when a partial decree is issued for the water right that has been claimed. For water rights not pending in a general adjudication, the **filing fee** is \$25 per water right, except for those water rights that will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right.

7. One of the new owner(s) must sign the form in the space(s) provided. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.

When you have completed the Notice of Change in Water Right Ownership, retain a copy and **file the original form, necessary attachments, and filing fee with the IDWR office nearest you.**

IDWR Northern Region
7600 N. Mineral Dr., Suite 100
Coeur d'Alene, ID 83815-7763
(208) 762-2800

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

~ OR ~

IDWR State Office
322 East Front St, 6th Floor
P.O. Box 83720
Boise, ID 83720-0098
(208) 287-4800

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**INSTRUCTIONS FOR FILING A
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All persons owning or claiming ownership of a water right or claim are required to provide notice to the Department of Water Resources (IDWR) of any change in ownership of any part of the water right or claim or of any change in the owner's mailing address within 120 days of the change. Forms to report ownership changes and/or to update an address are available on IDWR's website at www.idwr.idaho.gov. In addition, all new owners of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

A notice is required for changes in ownership from one individual to another, from an individual to a business entity (even if the business is owned by the individual), or from one business entity to another (even if both businesses are owned by the same individual). Adding or removing a name is considered an ownership change which requires the submission of evidence to support the change and the filing fee.

Separate brochures describing the adjudication of water rights and the ownership change notice requirement are available from IDWR. Please contact your nearest IDWR office if you would like more information or need help completing this form. A list of IDWR offices is on page 2 of these instructions, or you can call 1-800-451-4129. Water right information can be found on the department's website using the "Search Tools" and "Water Right & Adjudication Search" links at www.idwr.idaho.gov.

Please note:

- Unlike licensed or decreed water rights, which are real property, water right permits, applications for new water rights, and applications to transfer existing water rights are considered the personal property of the permit holders/applicants. Permit holders and applicants must assign their interest in a permit and/or application to the new owner. Assignment forms are available on the department's website at www.idwr.idaho.gov, or from any IDWR office. The fee for an assignment of permit is \$25. There is no charge for an assignment of application for permit or application for transfer.
- If you want to change or add a point of diversion, place of use, season of use, or purpose of use of a water right, you must file an Application for Transfer. The ownership of a water right can also be updated through the transfer process.
- The combined portions of a divided ("split") water right cannot exceed the total flow rate, volume, or period of use of the original right.
- IDWR has no jurisdiction concerning easements, rights-of-way, and zoning matters. The buyer and seller must make these provisions where necessary.

LINE INSTRUCTIONS:

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be divided ("split") to provide you your share of each right. Mark the box "Yes" if a division of the water right is required.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, and the water rights are held by the organization, please do not use this form to record a change. Please contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but you do not know the numbers, you may contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. Fill in the name of the current water right holder/claimant.
3. Fill in each name as listed on the conveyance document and complete the current contact information. For water rights, IDWR will update the ownership to the individual(s)/entities listed on the conveyance document. For active adjudication claims, IDWR will update the claimant information to match the conveyance document unless the new claimant provides good cause for the variance.

Order Number:

Warranty Deed

For value received,

Merl C. Filler and Elinor C. Filler, Trustees of the Filler Living Trust
Dated November 28, 2000

the grantor, does hereby grant, bargain, sell, and convey unto

Dirk Edwards and Melody Edwards, husband and wife

whose current address is ~~4664 S. Stateline Road, Homedale, ID 83628~~ 6599 Warren Spur Rd.
the grantee, the following described premises, in Owyhee County, Idaho, to wit: Melba ID 83641

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Dated: October 3, 2011

The Merl C. and Elinor C. Filler Living Trust Dated 11/28/2000

BY: Merl C. Filler
Merl C. Filler, Trustee

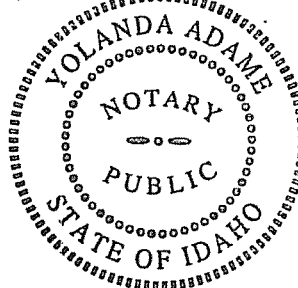
BY: Elinor C. Filler
Elinor C. Filler, Trustee

State of Idaho, County of _____, ss.

On this 4th day of October, in the year of 2011, before me the undersigned a Notary Public in and for said state personally appeared Merl C. Filler and Elinor C. Filler, known to me or proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the Instrument Trustees of The Merl C. and Elinor C. Filler Living Trust Dated 11/28/2000 and acknowledged to me that he/she/they executed the same as such Trustees.

Notary Public
Residing at:
My Commission Expires:

Residing at: Caldwell, Idaho
Commission Expires: 07/25/2017



Instrument # 275751
MURPHY, OWYHEE, IDAHO
2011-10-13 03:37:34 No. of Pages: 3
Recorded for: PIONEER TITLE COMPANY/OWYHEE
CHARLOTTE SHERBURN Fee: \$16.00
Ex-Officio Recorder Deputy: map
Index To: DEED WARRANTY
Electronically Recorded by Simplifile

Electronically Recorded- DO NOT
Remove the County Stamped First
Page as it is now Incorporated as
Part of the original Document.



ELECTRONICALLY RECORDED

By: Pioneer Title Company Fee: \$5.00

Instrument # 275751 450

Date: 10-15-11 Time: 1:37:34 PM

County: Owyhee, Idaho

Order Number:

Warranty Deed

For value received,

Merl C. Filler and Elinor C. Filler, Trustees of the Filler Living Trust
Dated November 28, 2000

the grantor, does hereby grant, bargain, sell, and convey unto

Dirk Edwards and Melody Edwards, husband and wife

whose current address is 4664 S. Stateline Road, Homedale, ID-83628-6599 Warren Spur. Rd.

the grantee, the following described premises, in Owyhee County, Idaho, to wit:

Meibach ID 83641

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Dated: October 3, 2011

The Merl C. and Elinor C. Filler Living Trust Dated 11/28/2000

BY: Merl C. Filler
Merl C. Filler, Trustee

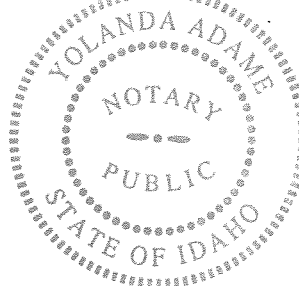
BY: Elinor C. Filler
Elinor C. Filler, Trustee

State of Idaho, County of _____, ss.

On this 15 day of October, in the year of 2011, before me the undersigned a Notary Public in and for said state personally appeared Merl C. Filler and Elinor C. Filler, known to me or proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the instrument Trustees of The Merl C. and Elinor C. Filler Living Trust Dated 11/28/2000 and acknowledged to me that he/she/they executed the same as such Trustees.

Notary Public
Residing at:
My Commission Expires:

Residing at: Caldwell, Idaho
Commission Expires: 07/25/2017



File No. 201105486

EXHIBIT A

This parcel is a portion of Government Lot 7 and the Southeast Quarter of the Southwest Quarter of Section 23, Township 3 North, Range 6 West of the Boise Meridian, Owyhee County, Idaho and is more particularly described as follows:

BEGINNING at the southeast corner of the Southeast Quarter of the Southwest Quarter (S $\frac{1}{4}$ corner, section 23), a found $\frac{1}{2}$ inch diameter rebar; thence

South $89^{\circ} 59' 11''$ West along the south boundary of the Southeast Quarter of the Southwest Quarter a distance of 1320.77 feet to the southeast corner of Government Lot 7 (W1/16S corner, section 23), a found G.L.O. Brass Cap monument; thence

North $89^{\circ} 51' 16''$ West along the south boundary of Government Lot 7 a distance of 591.38 feet to a point on the west State boundary of Idaho, witnessed by a found G.L.O. Brass Cap closing corner bearing South $89^{\circ} 51' 16''$ East a distance of 0.74 feet; thence

North $0^{\circ} 00' 48''$ East along the west State of Idaho boundary a distance of 732.44 feet to a point where the centerline extension of the S.C. Lateral 14.0-0.2 intersects said west boundary, a $\frac{1}{2}$ x 24 inch rebar set with a plastic cap stamped L.S. 3627; thence traversing said centerline as follows:

South $87^{\circ} 18' 07''$ East a distance of 74.88 feet to a $\frac{1}{2}$ x 24 inch rebar set with a plastic cap stamped L.S. 3627;
North $37^{\circ} 14' 58''$ East a distance of 74.12 feet to a $\frac{1}{2}$ x 24 inch rebar set with a plastic cap stamped L.S. 3627;
North $27^{\circ} 14' 27''$ East a distance of 58.29 feet to a $\frac{1}{2}$ x 24 inch rebar set with a plastic cap stamped L.S. 3627;
North $33^{\circ} 24' 59''$ East a distance of 78.86 feet to a $\frac{1}{2}$ x 24 inch rebar set with a plastic cap stamped L.S. 3627;
North $57^{\circ} 34' 52''$ East a distance of 56.87 feet to a $\frac{1}{2}$ x 24 inch rebar set with a plastic cap stamped L.S. 3627;
North $60^{\circ} 21' 34''$ East a distance of 222.69 feet to a $\frac{1}{2}$ x 24 inch rebar set with a plastic cap stamped L.S. 3627;
North $80^{\circ} 54' 21''$ East a distance of 32.54 feet to a $\frac{1}{2}$ x 24 inch rebar set with a plastic cap stamped L.S. 3627;
South $68^{\circ} 29' 15''$ East a distance of 248.14 feet to a $\frac{1}{2}$ x 24 inch rebar set with a plastic cap stamped L.S. 3627;
South $43^{\circ} 52' 23''$ East a distance of 265.71 feet to a $\frac{1}{2}$ x 24 inch rebar set with a plastic cap stamped L.S. 3627;
South $61^{\circ} 22' 58''$ East a distance of 336.59 feet to a $\frac{1}{2}$ x 24 inch rebar set with a plastic cap stamped L.S. 3627;
South $40^{\circ} 43' 15''$ East a distance of 306.52 feet to a $\frac{1}{2}$ x 24 inch rebar set with a plastic cap stamped L.S. 3627;
South $51^{\circ} 38' 54''$ East a distance of 55.40 feet to a $\frac{1}{2}$ x 24 inch rebar set with a plastic cap stamped L.S. 3627;
South $69^{\circ} 19' 12''$ East a distance of 379.55 feet to a $\frac{1}{2}$ x 24 inch rebar set with a plastic cap stamped L.S. 3627;

File No. 201105486

South 53° 38'03" East a distance of 40.77 feet to a ½ x 24 inch rebar set with a plastic cap stamped L.S. 3627;

South 36° 19'12" East a distance of 181.50 feet to a point on the east boundary of the Southeast Quarter of the Southwest Quarter, a ½ x 24 inch rebar set with a plastic cap stamped L.S. 3627; thence

South 0° 00'27" West along the east boundary of the Southeast Quarter of the Southwest Quarter a distance of 37.63 feet to the POINT OF BEGINNING.

Said parcel of land is formally described of record as:

In Township 3 North, Range 6 West, Boise Meridian, Owyhee County, Idaho

Section 23: Government Lot 7 lying South of Lateral S.C. 14.0-0.2 of the Gem Irrigation District,
Southeast Quarter of the Southwest Quarter lying South of Lateral S.C. 14.0-0.2 of the Gem
Irrigation District

The course of said lateral is shown of record as follows:

In Section 23, Township 3 North, Range 6 West, Boise Meridian, Owyhee County, Idaho:
Beginning at point 1, being 730 feet North of the Southwest corner of the said Southwest Quarter of Section 23, and
also being the concrete headwall or beginning of Gem Irrigation District's lateral 14.0-0.2, thence proceeding in a
Northeasterly direction down said lateral 550 feet to point 2; thence continuing down lateral 14.0-0.2 in a
Southeasterly direction 1860 feet to point 3, being the Southeast corner of the said Southwest Quarter,
Section 23, and the terminus of said course.